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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,075	03/22/2002	Dani Zeevi	81337	8855
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WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			KE, PENG	
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			2174	

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/720,075	Applicant(s) ZEEVI ET AL.	
	Examiner Peng Ke	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-83 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41-83 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

ETAILED ACTION

This action is responsive to communications: Amendment, filed on 4/21/06.

This action is made Final.

Claims 41-83 are pending in this application. Claims 41, 68, 76, and 83 are independent claims. In the Amendment, filed on 4/21/06, claim 83 was added.

Claim Rejections – 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 41, 42, 45, 46, 49, 50-53, 55- 60, 64-69, 71, 73-77, 79, and 81-83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser US 6,392,671 in view of Winamp.

As per claim 41, Glaser teaches a method for creating a graphic user interface (GUI) for a computer application, comprising:

defining user interface objects and user interface elements corresponding to the user interface objects in a GUI layer that is separate from the computer application; (See Glaser; col. 3, lines 1-13)

arbitrarily defining a mapping between the user interface objects and respective locations in a user interface screen, wherein the mapping is independent of the computer application; (See Glaser; col. 3, lines 13-22)

generating the user interface screen comprising the user interface elements in the respective locations determined by the mapping; and (See Glaser; col. 6, lines 42-65)

linking the user interface objects in the GUI layer to methods in the computer application, so that interaction of a user with the user interface elements in the user interface screen invokes the methods linked to the objects.(See Glaser; figure 2b. item “My Computer”)

However, Glaser fails to teach defines the location independently of the computer application.

Winamp teaches defining a mapping between user interface object and respective location in a user interface is independent of the computer application. (page 15-16; Skin is specific for an audio media application therefore independent of the computer application)

It would have been obvious to an artisan at the time of the invention to include Winamp’s teaching with method of Glaser in order to provide user with an adaptable media player interface.

As per claim 42, Glaser and Winamp teach a method according to claim 41. Glaser further teaches wherein arbitrarily defining the mapping comprises:

defining a relation that associates the user interface objects with corresponding features in an image provided by a designer of the GUI; (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

receiving the image from the designer, wherein the image comprises one or more of the features in respective positions; and (See Glaser, col. 7, lines 42-58)

determining the respective locations of the user interface objects based on the respective positions of the corresponding features in the image. (See Glaser, col. 5, lines 1-8)

As per claim 45, Glaser and Winamp teach a method according to claim 42. Glaser further teaches wherein defining the relation comprises associating the features of a given shape with a corresponding one of the user interface objects. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

As per claim 46, Glaser and Winamp teach a method according to claim 42. Glaser further teaches wherein receiving the image comprises changing a graphic quality of one of the features in the image, and wherein generating the user interface screen comprises changing the corresponding user interface element on the user interface screen responsive to changing the graphic quality, substantially without effect on the method to which the corresponding user interface object is linked. (See Glaser, col. 5, lines 50-60)

As per claim 49, Glaser and Winamp teach a method according to claim 42. Glaser further teaches wherein receiving the image comprises receiving a bitmap image, such that the respective locations of the user interface objects are determined responsive to the bitmap image. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

As per claim 50, Glaser and Winamp teach a method according to claim 42. Glaser further teaches wherein generating the user interface screen comprises building the user interface screen based on the features of the image received from the designer, without resort to a textual description of the user interface elements. (See Glaser; col. 3, lines 13-22)

As per claim 51, Galser and Winamp teach a method according to claim 42. Winamp further teaches wherein defining the relation comprises identifying at least one of the features in the image with a user interface push button. (figure 11, items 1)

As per claim 52, Glaser and Winamp teach a method according to claim 42. Glaser further teaches wherein defining the relation comprises identifying at least one of the features in the image with an area for display of text or graphics associated with the application. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”; It is inherent that image for “my computer” and “network neighborhood” are designated icons.)

As per claim 53, Galser and Winamp teach a method according to claim 42. Winamp further teaches wherein defining the relation comprises identifying at least one of the features in the image with a user control for selecting a value of a parameter from a range of values. (figure 12, item 2)

As per claim 55, Galser and Winamp teach a method according to claim 53. Winamp further teaches wherein the at least one of the features in the image defines a range of positions of a slider corresponding to the range of values of the parameter. (figure 12, item 2)

As per claim 56, Galser and Winamp teach a method according to claim 55. Winamp further teaches wherein the at least one of the features in the image comprises an elongate feature that deviates from a straight, linear shape. (figure 12, item 2)

As per claim 57, Glaser and Winamp teach a method according to claim 41. Glaser further teaches wherein defining the user interface objects comprises altering one of the user interface objects by inheritance thereof. (See Glaser, figure 2A, figure 2B, item “My Computer”,

“Network Neighborhood”; It is inherent that image for “my computer” and “network neighborhood” are designated icons.)

As per claim 58, Glaser and Winamp teach a method according to claim 41. Glaser further teaches wherein generating the user interface screen comprises providing a skin including graphic representations of the user interface elements at the locations to which the corresponding user interface objects are mapped. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

As per claim 59, Glaser and Winamp teach a method according to claim 41. Glaser further teaches wherein generating the user interface screen comprises altering an appearance of one or more of the user interface elements while the application is running. (See Glaser, col. 5, lines 1-8; It is inherent that the desktop theme may be changed while the OS is running)

As per claim 60, Glaser and Winamp teach a method according to claim 59. Glaser further teaches wherein altering the appearance comprises providing multiple different views of the user interface screen. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

As per claim 64, Glaser and Winamp teach a method according to claim 41. Glaser further teaches wherein arbitrarily defining the mapping comprises mapping the user interface

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objects in a manner that is substantially independent of an operating platform on which the application runs. (See Glaser; col. 5, lines 37-60)

As per claim 65, Glaser and Winamp teach a method according to claim 41. Glaser further teaches wherein generating the user interface screen comprises generating a browser screen on a computer accessing the application remotely via a network. (See Glaser col. 7, lines 43-60)

As per claim 66, Glaser and Winamp teach a method according to claim 65. Glaser further teaches wherein generating the user interface screen comprises generating the same user interface screen on the browser and on a local client of the application. (See Glaser col. 7, lines 43-60; It inherent that if same theme is chosen from two different desktops, their appearances would be the same)

As per claim 67, Glaser and Winamp teach a method according to claim 41. Glaser further teaches wherein arbitrarily defining the mapping comprises defining a relation that is preserved across multiple, different applications. (See Glaser; col. 3, lines 13-22)

As per claim 68, it is rejected with the same rationale as claim 41. Supra

As per claim 69, which is dependent on claim 68, it is of the same scope as claim 42.

Supra

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As per claim 71, which is dependent on claim 68, it is of the same scope as claim 42.

Supra

As per claim 73, which is dependent on claim 68, it is of the same scope as claim 64.

Supra

As per claim 74, which is dependent on claim 68, it is of the same scope as claim 60.

Supra

As per claim 75, which is dependent on claim 68, it is of the same scope as claim 59.

Supra

As per claim 76, it is rejected with the same rationale as claim 41. Supra

As per claim 77, which is dependent on claim 76, it is of the same scope as claim 42.

Supra

As per claim 79, which is dependent on claim 77, it is of the same scope as claim 45.

Supra

As per claim 81, which is dependent on claim 76, it is of the same scope as claim 67.

Supra

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As per claim 82, which is dependent on claim 76, it is of the same scope as claim 59.

Supra

As per claim 41, Glaser teaches a method for creating a graphic user interface (GUI) for a computer application, comprising:

Defining user interface objects and user interface elements corresponding to the user interface objects in a GUI layer; (See Glaser; col. 3, lines 1-13)

Defining a mapping between the user interface objects and respective location in a user interface; (See Glaser; col. 3, lines 13-22)

generating the user interface screen comprising the user interface elements in the respective locations determined by the mapping; and (See Glaser; col. 6, lines 42-65)

linking the user interface objects in the GUI layer to methods in the computer application, so that interaction of a user with the user interface elements in the user interface screen invokes the methods linked to the objects. (See Glaser; figure 2b. item "My Computer")

However, Glaser fails to teach defines the location independently of the computer application.

Associating the user interface objects with corresponding features in an image provided by a designer of the GUI, wherein the mapping defines the locations of the user interface objects based on respective positions of the corresponding feature in the image.

Changing the location of the user interface element in the user interface screen by changing the position of the one of the features in the image.

Winamp teaches defining a mapping between user interface object and respective location in a user interface is independent of the computer application. (page 15-16; Skin is specific for an audio media application therefore independent of the computer Application)

Associating the user interface objects with corresponding features in an image provided by a designer of the GUI, wherein the mapping defines the locations of the user interface objects based on respective positions of the corresponding feature in the image. (page 15-16)

Changing the location of the user interface element in the user interface screen by changing the position of the one of the features in the image. (page 15-16)

It would have been obvious to an artisan at the time of the invention to include Winamp's teaching with method of Glaser in order to provide user with an adaptable media player interface.

Claims 43, 48, 54, 61, 70 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser (US 6,392,671) in view of Winamp further in view of Craycroft et al. (US 6,731,310).

As per claim 43, Glaser and Winamp teach a method according to claim 42. However, they fail to teach wherein defining the relation comprises associating the features of a given color with a corresponding one of the user interface objects.

Craycroft et al teaches the relation comprises associating the features of a given color with a corresponding one of the user interface objects. (See Craycroft, col. 4, lines 35-45)

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It would have been obvious to an artisan at the time of the invention to include Craycroft's teaching with method of Glaser and Winamp in order to allow windows' button to be more identifiable by users.

As per claim 48, Glaser and Winamp teach a method according to claim 46. However, they fail to teach wherein changing the graphic quality comprises changing a size characteristic of the one of the features in the image, and wherein changing the corresponding user interface element comprises changing a corresponding size characteristic of the user interface element in the user interface screen.

Craycroft teaches wherein changing the graphic quality comprises changing a size characteristic of the one of the features in the image, and wherein changing the corresponding user interface element comprises changing a corresponding size characteristic of the user interface element in the user interface screen. (See Craycroft, col. 5, lines1-11; Figure 2c, item "list views")

It would have been obvious to an artisan at the time of the invention to include Craycroft's teaching with method of Glaser and Winamp in order to allow user to change the appearance of the user interface to his preferences.

As per claim 54, which is dependent on claim 53, it is of the same scope as claim 43.

Supra

As per claim 61, which is dependent on claim 60, it is of the same scope as claim 48.

Supra

As per claim 70, which is dependent on claim 69, it is of the same scope as claim 43.

Supra

As per claim 78, which is dependent on claim 77, it is of the same scope as claim 54.

Supra

Claims 62, 63, and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser (US 6,392,671) in view of Winamp in view of Hochstedler et al. (US 6,707,476).

As per claim 62, Glaser and Winamp teach a method according to claim 60. However they fail to teach wherein the application comprises a multimedia player application having multiple channels, and wherein providing the multiple different views comprises associating the different views with different channels of the multimedia player.

Hochstedler teaches wherein the application comprises a multimedia player application having multiple channels, and wherein providing the multiple different views comprises associating the different views with different channels of the multimedia player. (See Hochstedler, col. 7, lines 5-48)

It would have been obvious to an artisan at the time of the invent to include Hochstedler's teaching with method of Glaser and Winamp in order to provide user with an adaptable interface.

As per claim 63, Galser and Winamp teach a method according to claim 59. However, they fail to teach wherein the application presents content to the user, and wherein altering the

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appearance comprises altering the appearance of the one or more user interface elements responsive to a characteristic of the content.

Hochstedler teaches wherein the application presents content to the user, and wherein altering the appearance comprises altering the appearance of the one or more user interface elements responsive to a characteristic of the content. (See Hochstedler, col. 7, lines 5-48)

It would have been obvious to an artisan at the time of the invention to include Hochstedler's teaching with method of Glaser and Winamp in order to user with an adaptable interface.

As per claim 80, Galser and Winamp teaches an apparatus according to claim 77. However, they fail to teach and a pointing device, which is operable by the designer to change a graphic quality of one of the features in the image, wherein the processor is adapted to change the corresponding user interface element on the screen responsive to changing the graphic quality, substantially without effect on the method to which the corresponding user interface object is linked.

Hochstedler teaches wherein the a pointing device, which is operable by the designer to change a graphic quality of one of the features in the image, wherein the processor is adapted to change the corresponding user interface element on the screen responsive to changing the graphic quality, substantially without effect on the method to which the corresponding user interface object is linked. (See Hochstedler, col. 7, lines 5-48)

It would have been obvious to an artisan at the time of the invention to include Hochstedler's teaching with method of Glaser and Winamp in order to provide user with an adaptable interface.

Claim 72 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser (US 6,392,671) in view of Winamp in view of Kanevsky et al. (US 6,300,947).

As per claim 72, Glaser and Winamp teach a product according to claim 69. However, they fail to teach wherein the instructions cause the computer, responsive to a change made by a user in a graphic quality of one of the features in the image, to change the corresponding user interface element on the screen responsive to changing the graphic quality, substantially without effect on the method to which the corresponding user interface object is linked.

Kanevsky teaches wherein the instructions cause the computer, responsive to a change made by a user in a graphic quality of one of the features in the image, to change the corresponding user interface element on the screen responsive to changing the graphic quality, substantially without effect on the method to which the corresponding user interface object is linked. (See Kanevsky col. 1, lines 55- col. 4, lines 8)

It would have been obvious to an artisan at the time of the invention to include Kanevsky's teaching with method of Glaser and Winamp in order to allow the interface to be displayed on different platforms.

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser (US 6,392,671) in view of Winamp further in view of Buxton et al. (US 6,118,427).

As per claim 44, Galser and Winamp teach a method according to claim 43. However, they fail to teach wherein associating the features of the given color comprises identifying a certain color with a background region of the user interface screen, and wherein generating the user interface screen comprises displaying the background region as a transparent region.

Buxton et al. teaches wherein associating the features of the given color comprises identifying a certain color with a background region of the user interface screen, and wherein generating the user interface screen comprises displaying the background region as a transparent region. (See Buxton col. 3, lines 35-col. 4, lines 56)

It would have been obvious to an artisan at the time of the invention to include Buxton's teaching with method of Glaser and Winamp in order to maximize user or system performance.

Allowable Subject Matter

Claim 47 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:
The prior arts fail to disclose individually or in combination that:

“changing the position of the one of the features in the image, and wherein changing the corresponding user interface element comprises changing the location of the user interface element in the user interface screen.”

Response to Argument

Applicant's arguments filed on 4/21/06 have been fully considered but they are not persuasive.

1) Applicant argued that Winamp does not teach defining a mapping between user interface object and respective location and the mapping is done independently of the computer application.

1) Examiner disagrees. Winamp teaches this limitation because it allows the users to carve out interface elements from the media interface. (page 16, "region.txt")

2) Applicant argued that the reference of Hochstedler is invalid because of the priority claim to an Israel Patent Application No. 132,929.

2) Examiner disagrees. Although Applicant has a priority claim to the Israel Patent, the reference applied by the examiner is still valid because the applicant did not provide a translation to the Israel Patent Application as required by 37 CFR 1.55(a) (3).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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